

Message Text

CONFIDENTIAL

PAGE 01 BONN 01888 051202Z

43

ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 SAM-01 IO-14 ACDA-19 OMB-01 DRC-01 /139 W

----- 066067

R 051151Z FEB 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 0199

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION BERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 01888

E.O. 11652: GDS

TAGS: PGOV, GW, UR

SUBJECT: LITTLE PROGRESS IN FRG-SOVIET DISCUSSIONS OF
BERLIN AND LEGAL ASSISTANCE

REF: BONN 1578

1. FRG FONOFF DELEGATION VISITED MOSCOW JANUARY 30-31
FOR TALKS WITH SOVIETS ON FRG-SOVIET BILATERAL PROBLEMS,
ESPECIALLY AS THESE RELATED TO BERLIN. ACCORDING TO
FONOFF SOURCE WHO WAS A MEMBER OF THE FRG DELEGATION,
THE TALKS TOOK PLACE IN A REASONABLE AND BUSINESSLIKE
ATMOSPHERE. THEY CENTERED ALMOST ENTIRELY ON THE
SUBJECT OF HANDLING LEGAL ASSISTANCE MATTERS BETWEEN
THE FRG AND THE USSR, WITH THE QUESTION OF HOW TO DEAL
WITH WEST BERLIN'S INCLUSION IN ANY LEGAL ASSISTANCE
ARRANGEMENT THE KEY PROBLEM IN THE DISCUSSION.

2. OUR SOURCE SAID THAT BOTH SIDES HAD A FULL EXCHANGE
ON THEIR RESPECTIVE POSITIONS ON LEGAL ASSISTANCE AND
ON HOW IT MIGHT BE HANDLED. FRG DELEGATION EXPLAINED
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 01888 051202Z

IT COULD ACCEPT THE MOSCOW AND BONN EMBASSYS' RESPEC-

TIVELY TAKING CARE OF THE MATTER OR A MORE DIRECT COURT-TO-COURT PROCEDURE COULD BE WORKED OUT. ONE COULD EVEN CONCEIVE OF THE MINISTRIES OF JUSTICE AT THE HIGHEST OR AT THE LOCAL LEVEL BEING EMPOWERED TO DEAL WITH THE QUESTION.

3. SOVIET SIDES REPORTEDLY TOOK A COOL ATTITUDE TOWARD THESE PROPOSALS. INITIALLY IT SAID THAT THE EMBASSY CHANNEL WAS OUT OF THE QUESTION BUT APPARENTLY SOFTENED THIS POSITION SOMEWHAT BY THE END OF THE TWO-DAY TALKS. SOVIETS THEN SUGGESTED THAT THE INCLUSION OF WEST BERLIN IN ANY LEGAL ASSISTANCE AGREEMENT BE DONE ON A CONFIDENTIAL, UNWRITTEN BASIS. THE FRG DELEGATION SAID THIS PROPOSAL WAS UNACCEPTABLE, THAT IT HAD TO BE ABLE TO USE ANY PROCEDURE FOR WEST BERLIN PUBLICLY. SOVIETS SAID THIS REQUIREMENT FOR FORMALIZATION WAS MORE THAN THE FRG HAD SOUGHT ORIGINALLY. FRG SIDE REPORTEDLY STUCK TO ITS POSITION. BOTH SIDES AGREED TO REVIEW THE EXPLANATIONS OF THE RESPECTIVE POSITIONS AND HAVE ANOTHER ROUND OF TALKS IN BONN, PROBABLY ABOUT THE END OF FEBRUARY.

4. THE ONLY OTHER SUBJECT WHICH ROSE, NOT UNEXPECTEDLY, WAS THE CONTENTIOUS MATTER OF THE ESTABLISHMENT OF THE FEDERAL ENVIRONMENT AGENCY IN WEST BERLIN. SOVIETS RAISED IT OVER LUNCH, HOWEVER, AND NOT IN THE CONFERENCE ITSELF. NO NEW GROUND WAS BROKEN, FROM ALL WE CAN LEARN.

5. COMMENT: THE FRG DELEGATION RETURNED TO BONN WITH THE FEELING THAT THIS WAS BUT THE FIRST OF WHAT IS PROBABLY MANY MEETINGS ON THE DIFFICULT SUBJECT OF LEGAL ASSISTANCE CUM WEST BERLIN'S INCLUSION.THEREIN. IT EXPECTS DIFFICULT NEGOTIATIONS IN THE MONTHS AHEAD AND RECOGNIZES THAT SETTLEMENT OF THIS ISSUE HINGES ON FRG-SOVIET NEGOTIATIONS IN OTHER FIELDS, NOT LEAST THAT OF ECONOMIC COOPERATION AND LONG-TERM, LOW INTEREST FRG CREDITS TO FINANCE THIS COOPERATION. WE THINK THE FRG ASSESSMENT IS PROBABLY ACCURATE.

HILLENBRAND

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, BERLIN QUADRIPARTITE MATTERS, FOREIGN COMMITMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 05 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BONN01888
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740256/aaaacahq.tel
Line Count: 99
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: BONN 1578
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 27 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27 MAR 2002 by martinml>; APPROVED <31 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LITTLE PROGRESS IN FRG-SOVIET DISCUSSIONS OF BERLIN AND LEGAL ASSISTANCE
TAGS: PGOV, GE, UR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005